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Docket #1103
Rm 228

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WASHINGTON, D.C. 20554

25 FEB 1993

IN REPLY REFER TO:
7330-7/1700A3

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MAR 5 1993

Honorable Phil Gramm
United States Senator
2323 Bryan Street, Suite 1500
Dallas, Texas 75201

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Senator Gramm:

This is in reply to your letter of February 9, 1993, in which you inquired on behalf of your constituent, Jack Plonien, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Plonien is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

Has Original 2 Copies
[Signature]

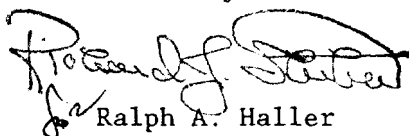
Honorable Phil Gramm

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller", is written over a circular stamp. The signature is fluid and cursive.

Ralph A. Haller
Chief, Private Radio Bureau

Enclosures

cc:

CNTL NO - 9300599

Chief, PRBureau

Chief, LM&M Divison

Docket Files, Room 222

P&P Branch File (Pink)

DFertig/RShiben:/gb/lm:PR

Congressional

DUE OBC 2-24-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/16/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300599	02/16/93	02/09/93	03/01/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Phil Gramm	BC

CONSTITUENT'S NAME	SUBJECT
Jack Plonien	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
DATE	DATE	DATE	DATE
PRB/Lmm 2-17-93 02/16/93			

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REMARKS: Respond to the attention of Georg'a Brown in the
Dallas, TX office.

February 4, 1993

The Honorable Phil Gramm
U.S. Congressional Office
2323 Bryan Street
Dallas, TX 75201

RE: PR Docket 92-235

Dear Senator Gramm:

In the past 43 years as a citizen, taxpayer, and voter, I have never individually written my congressional representatives about a proposed legislative change until now. I have been active in the hobby of modeling for over 30 years, building model aircraft, ships, and other types of scale models for recreation and personal enjoyment. Many of my past years have been devoted to radio control modeling of aircraft, ships, and cars.

The reason for my writing you is to voice my sincere concern about the proposed changes to current Federal Communications Commission (FCC) regulations governing the frequencies currently used by radio control modeling. As you are probably aware from the number of letters you are receiving from Texas modelers, the American Modeling Academy (AMA) and other modeling organizations, have alerted the U.S. modeling public about the new rules proposed under PR Docket 92-235. The "short version" of these changes is that the FCC wants to "expand the land mobile frequencies" in the 72 to 76 MHz bands which are currently used for radio control models. The resulting new inserted frequencies will most likely render the majority of modeling frequencies as unsafe for operation of aircraft models, high speed model racing boats, and fast electric/gas model cars. Safety to others and protection of private property is of the utmost concern to all radio control modelers.

I fully realize that this issue may be a battle between the private mobil communications industry and the modeling community, but as an owner of a single cellular telephone and 15 radio controlled models, I feel that our elected federal government representatives can investigate and resolve this dilemma to the satisfaction of both frequency users groups, without sacrifice to safety and personal liability of the public. I will sincerely appreciate any congressional involvement in the FCC's proposed changes that your office can make. Please count on my support and involvement in obtaining an acceptable solution for everyone.

Cordially,



Jack Plonien
6012 Calender Road
Arlington, TX 76017



Colonial
Savings

JACK PLONIEN
SENIOR VICE PRESIDENT
MORTGAGE LENDING ADMINISTRATION

2626 B WEST FREEWAY
FORT WORTH, TEXAS 76102
817/390-2250 METRO 429-9333 1-800/937-6001
PRIVATE LNR 817/390-2250

Urgent Frequency Alert!

(Responses needed before February 26, 1993)

To all users of model frequencies in both the 72 and 75 MHz bands.

The Federal Communications Commission (FCC) has issued a Notice of Proposed Rule Making (NPRM-PR Docket 92-235) which, if implemented, will have a profound effect on model frequency use. Developed by the FCC Land Mobile Service, it creates a massive frequency restructuring—the first of its type in 60 years.

The 419 page document addresses frequency use in another service (Part 88) but will also affect Part 95 where our RC frequency use lives. Without becoming too technical, the restructuring inserts two new frequencies between those presently assigned for modeling use and commercial users. That means we could have a transmitter almost four times the power output of ours, only 2.5 kHz away from a large number of our 72 and 75 MHz frequencies.

In the 72 MHz band, thirty-one of our frequencies would be bracketed, principally in the lower end of the band (below channel 42). A similar condition would exist in the 75 MHz band. Two examples of the frequency placing would look like the following:

Model Channel 14	72.070 MHz
New insert	72.0725 MHz
New insert	72.0775 MHz
Present Commercial	72.080 MHz
New insert	72.0825 MHz
New insert	72.0875 MHz
Model Channel 15	72.090 MHz
OR	
Model Channel 62	75.430 MHz
New insert	75.4325 MHz
New insert	75.4375 MHz
Present Commercial	75.440 MHz
New insert	75.4425 MHz
New insert	75.4475 MHz
Model Channel 63	75.450 MHz

Not only are these new frequencies very close to ours, they are also designated as "mobile", therefore we would never know where they are operating, including right in the pit area at your field or on the street and highway nearby. In addition, the technical specifications for the new equipment allows a legal frequency tolerance which could place their signal directly on ours!

What can be done to address this situation?

The Academy, with full industry support, will pursue all avenues available through the legal counsel they retain to represent modelers before the FCC. The first step in that process is the filing of formal comments prior to February 26, 1993. Other steps will follow.

We have been strongly urged to use "every arrow in our quiver" to address this proposal. You and your club members are very important arrows that can help us make our point!

You are being asked to write *NOW* to those persons and agencies in the federal government that *represent you!*

To a Senator:

The Honorable (name)
United States Senate
Washington, D.C. 20510

To the FCC:

FCC
1919 M St, NW
Washington, DC 20554

To a Representative:

The Honorable (name)
U. S. House of Reps.
Washington, D.C. 20515

(For the name of your Senator or Representative, contact the Capitol Switchboard at (202) 224-3121.)

In writing your letters it is important to do the following:

1. Include the identification of the proposed rule making: PR Docket 92-235

2. Personalize your concerns:

"I am retired and derive many hours of pleasure from building and operating radio controlled models."

"I am an active competitor in local, national, and international events."

"As a student, I learn valuable lessons from building and operating models."

"I am active in our local club."

3. Indicate your financial involvement:

"I own _____ pieces of radio equipment that would be unusable if this frequency assignment is adopted."

"My hobby shop business involves _____% radio control sales."

4. Strongly stress the safety and liability aspect created by the proposal!

"The models I build weigh as much as _____pounds and operate at _____m.p.h."

"Our club operates at a public park."

"Since the proposed new frequencies are so close, interference will occur and render most model frequencies unusable."

Some other points to consider.

1. The best approach is a personal letter, written by you, to the government official(s) involved.

2. The second level of effectiveness is a signed form letter.

3. The least effective communication is a petition simply signed by individuals. (This approach is not recommended)

4. Many persons derive enjoyment from our hobby/sport, not only those who actually build and operate models. Ask them to write as well, to indicate their concern!

5. The most important fact to remember is to act now! The February 26th date is soon upon us! Write NOW!

6. Contact the Technical Department at AMA Headquarters for additional information - (703) 435-0750, ext. 264.